

ALA. JURY SAYS NEGRO MURDER 'JUSTIFIABLE'

AUG 15 1942
By Rob F. Hall

(Special to the Daily Worker)

BIRMINGHAM, Ala., Aug. 14.—Indignation mounted high today among Negro and white coal miners when word was received that Coroner Gip. M. Evans had returned a verdict of justifiable homicide in the brutal killing of Jack Bloodworth, Negro coal miner, by Herbert Gray, TCI Company deputy, on last Saturday.

Scores of workers who were near the company payroll office at the Docena Mine when the shooting occurred are ready to testify that Gray assaulted Bloodworth with a pistol butt and then with fists before Bloodworth made any effort to defend himself. It was only after Bloodworth gave a good account of himself with his fists that Gray, reinforced by another company deputy, recovered his pistol and began shooting at Bloodworth. However, these workers were not interviewed by the Coroner.

Although the Docena Mine had returned to normal production today after a protest strike by more than five hundred Negro and white workers, it was reported that the men were prepared to shut the mine down again unless Gray and four other anti-Negro and anti-labor officials were discharged.

WORKERS PLAN ACTION

Meanwhile the coal miners are taking steps to establish a trade union committee to retain a lawyer and to prosecute the company deputy for murder. Whether the district office of the United Mine Workers would support such action was still unclear today after local newspapers had quoted William Mitch, District President, as saying that the union contemplated no action because "the entire matter is in the hands of the law."

The CIO News Digest, appearing on the streets today, expressed the opinion that U. S. military authorities would take jurisdiction in the case in view of the fact that Bloodworth had been given notice to report for induction.

The real source of the trouble is being soft pedalled by the local press. This is the campaign of white supremacy agitation and racial incitement led by Gov. Dixon of Alabama, Talmadge of Georgia and the new fuehrer of the streamlined Klan, Horace Wilkinson.

KKK PLOTTERS

This campaign spilled into the newspapers again today with an inflammatory report by a Grand Jury at Bessemer, Alabama, charging that the extent of crime among Negroes is "deplorable and appalling."

"We find that an utter disregard of the law has been shown by Negro offenders," the Grand Jury report said. "They have not only plundered and robbed, but have killed, slashed and ravished each other."

While local newspapers were silent editorially, avoiding the crucial issues posed by the hate campaign of the Talmadge-Dixon factions, a positive note was struck by Mrs. Eleanor Roosevelt in Salisbury, North Carolina.

Addressing a Negro youth discussion group at a conference of the AME Zion Church in that city, she said: "We must try with all our might to bring about recognition of the fact that a man must have equal opportunity to get a job he is capable of filling."

Chicago Bee
Chicago, Illinois

SOLDIER KILLED BY WHITE BUS DRIVER IN ALA.

MOBILE, Ala., Aug. 27.—(ANP)

—Pvt. Henry Williams, of Birmingham, soldier stationed at Brookley field, army airport in Mobile, was shot and instantly killed Saturday night aboard a City Lines bus by the bus driver.

It was reported that the bus driver, Grover Chandler, entered into an argument with the soldier after which he stopped the bus at a downtown bus stop and ordered all Negroes off the bus. The soldier as he stepped off the bus was kicked by Chandler. Williams turned around, started walking toward the bus driver who started shooting him. One bullet entered Williams' head, one his neck and one his arm. He died instantly.

The shooting will be investigated by Brookley Field authorities. This is the first instant of any trouble between Negro soldiers stationed at Brookley and whites of Mobile.

Under Alabama law, bus drivers are permitted to carry firearms, the chief of police reported. There were only two passengers on the bus at the time of the shooting, these have been questioned at length as well as Chandler who refuses to make a statement in connection with the shooting.

Age-Herald

Birmingham, Ala.

Homicide Is Finding In Death Of Negro Shot At Bessie Mines

SEP 20 1942

A verdict of homicide was announced Saturday by Mrs. Edwina W. Whiteside, acting coroner, in the slaying Friday afternoon of Sam Gales, Negro coal miner, by Dallas Reed, white, in front of the Bessie Mines commissary.

Mrs. Whiteside said her verdict would in no way affect the trial of Reed on a charge of murder but would give the courts a free hand to determine all the facts in the case.

She added that county officers who investigated the slaying told her the white man and Negro had fought in the mines Monday night and as a result both had been discharged. The officers reported also that Reed said Gales reached for his pocket when they met for the first time since the mine difficulty, in front of the commissary, and he shot because he believed his life in danger.

Reed, Mrs. Whiteside said, has been arrested on a warrant sworn out by county officers, and is scheduled to stand trial shortly before Judge H. B. Abernethy on a murder charge.

Daily World

Atlanta, Ga.

ALABAMA MAN FOUND DEAD BY HIGHWAY

By A. L. DAVIS

AUBURN, Ala. (AP)—Frank Philpot was found dead last Sunday morning alongside the Auburn-Loachapoka highway, his skull fractured. Police and the public were baffled as to the cause of his death, believed to be murder.

The deceased was well known around Auburn and Loachapoke.

Philpot was last seen in the company of a local young woman. His parents live in Loachapoke. He was employed at the Meadows Garage at the time of his death. It seems as if the murderers put his body beside the highway to make it appear as if he was killed by an automobile. No one seems to know or

have any clues as to the whereabouts of his assailant.

Age-Herald

Birmingham, Ala.

FAUNSDALE TOWN OFFICER IS SLAIN

John Cleveland Reed, 51, Is Shot At Scene Of Fight

SELMA, Ala., Oct. 25.—John Cleveland Reed, 51, town marshal at Faunsdale, about 32 miles west of Selma, was fatally shot in the hip by a Negro while the marshal was attempting to quiet a fight at Faunsdale Saturday night, State Patrolmen Walter Tatum and R. H. Rush reported.

Reed died in an ambulance en route to a Selma hospital.

The state officers said that the marshal was shot during a general fracas, and late Sunday no trace had been found of the person who had fired the shot.

Funeral services will be held Monday at Faunsdale. Surviving are his widow, Mrs. Lucille Reed; his mother, Mrs. John M. Reed; a daughter, Mrs. R. F. Lewis, Moundville; two sons, Lt. J. E. Reed, Camp Blanding, and Sgt. A. D. Reed, Miami, and two sisters, Mrs. Ruby Scales, Faunsdale, and Mrs. Robert Cory, Birmingham.

SISTER OF SLAIN SOLDIER ASKS STIMSON FOR PROBE

BIRMINGHAM, Ala., Sept. 3—(ANP)—Mrs. Mary S. Robinson, sister of Pvt. Henry Williams, who was slain in Mobile by a white bus driver, said that she was wiring War Secretary Stimson, asking for "an immediate and thorough investigation into the death of my brother."

Pvt. Williams of Birmingham, stationed at Brookley field, Mobile, Saturday, August 15, was shot and killed in Mobile by Grover Chandler, white, City Lines bus driver.

He was shot three times in the head and in the neck, dying instantly.

MANY VERSIONS

The soldier, who apparently had been drinking, had words with the bus driver, who in resenting them, resorted to firearms. Another version said that the soldier was "baiting" the driver, and that the affair was climaxed with the shooting when the soldier asked the driver to lift his suitcase off the rack.

In describing the tragedy, an eyewitness said Chandler, angered by the conversation of the soldier, whipped out a gun, the terrified passengers fleeing in panic, began kicking Williams in the stomach, and about the body, the soldier dropping some laundry he was carrying. In a few moments, when the bus emptied of all but the two, bullets rang out.

His brother-in-law, Grant Robinson on August 17 went to Mobile seeking the facts about Williams' death but without result, except newspaper accounts.

Col. Vincent B. Dixon, commanding officer of Brookley Field, said that he was conducting an investigation into the shooting last Tuesday.

The body of the soldier was forwarded to Macon, Miss., his native home, for burial there last Saturday.

Survivors of his mother, Mrs. Maggie Williams, of Macon; a brother, William Lewis, a soldier at Ft. McClellan, Ala.; three sisters, Miss Emma Williams of Doddsonville, Miss.; Mrs. Lillian Killings and Mrs. Mary S. Robinson, Birmingham.

Pittsburgh Courier

Pittsburgh, Pa.

Murdered When He Was Slow To Pay For 'Pop'

UNIONTOWN, Ala., Nov. 12—Eddie Cobb is dead, and there doesn't seem much that is going to be done about it!

On Friday, October 30, Eddie Cobb walked into Osburn's store here, purchased an article and, according to some observers, he was a little slow in paying for it because he was talking to a friend. Mr. Osburn did not like this Negro's attitude. So he killed him.

ASKED FOR SOFT DRINK

Cobb entered the store and asked for a soft drink, which was served him by the proprietor. As he engaged a mutual friend in conversation the merchant became enraged because he was not immediately paid.

"N—r, pay me my money!" yelled the owner of the store, and in the same instant he crashed a bottle into Cobb's temple, which was enough to kill him.

THE "COVER UP"

Eyewitnesses here claim that in the next few minutes a typical Southern "cover up" was pulled off. Prominent citizens came to the store and consulted on what best to say to the authorities. Negroes were kept at a distance. The local doctor declared that the dead man had fallen and broken his neck. Finally the sheriff arrived and his investigation revealed an accident had occurred.

CLAIM COBB WAS "DRUNK"

In court later, the now familiar pattern was played to perfection. It was brought out that Cobb was "drunk" at the time of the "accident." The case was dismissed and Osburn walks the streets of Uniontown, Ala., a free man.

Wife Describes Kegee Slaying

TUSKEGEE, July 16—(ANP)—

So what was described by eyewitnesses as one of the most brutal killings in the history of Macon county, Walter Gunn was slain here recently by County Sheriff E. Evans and his deputy, Fawcett, in the town of Tuskegee, a few miles from Tuskegee Institute. The attending physician at the John A. Andrew Memorial hospital confirmed reports that Gunn was literally "beaten to death" before he was shot by the deputy sheriff.

Mrs. Gunn, widow of the victim and the mother of four children, repeated for reporters the following story of events leading up to her husband's death on June 28.

She said: "I was sitting on my porch when I saw my husband drive in with the officers following close behind in another car. Fawcett, the deputy sheriff, was standing on the running board of the car driven by the sheriff, Pat Evans. Fawcett fired two or three times at my husband's car as they turned in the lane leading to the house. I screamed because they were shooting over my children in the yard playing. My husband jumped from his car and ran with Fawcett following him. Pat Evans, the sheriff, hollered: 'I hope he will kill him!' My husband continued to run and fell over a wooden washstand on the back of the house where

Fawcett fired several shots into his right leg and beat him over the back of the head with a blunt instrument. Fawcett then grabbed his almost lifeless form and dragged him by the collar from the yard across the street to the car. I later found him when I went to the John A. Memorial hospital. I asked the sheriff what had my husband done. He replied:

"You know as much as we do.

He is always into something.' So far as I could learn, my husband was charged with drunkenness. Twice before they had arrested my husband. In October, they stripped him of his clothes and beat him in public at Mt. Esther church. The other time they arrested him for reckless driving."

Gunn died in Andrew hospital June 28 of a fractured skull caused by a blow behind the right ear.

Advertiser
Montgomery, Ala.

Negro Is Captured In Linden Murders

Seized In Mississippi, He
Is Guarded In Selma

A 30-day search across four states for Ed Hayes, Jr., 34-year-old negro, charged with the Dec. 19 slaying of Mr. and Mrs. Thurman Jackson and the wounding of their 15-year-old son, Rudolph, ended yesterday with the negro's capture near Vidalia, La.

Alabama Highway Patrol Corp. Walter Tatum, who reported the capture here, said the negro had confessed to the crime and had been removed from Meridian by Marengo County Sheriff Wilmer Shields to Selma for safekeeping.

Corp. Tatum said the negro would be arraigned early this week, and that several persons were slated for early arrest on charges of aiding and abetting the negro in his attempts to evade officers.

The Jacksons, middle-aged storekeepers at Moore's Valley, near Linden, were slain during a robbery of their rural store on the night of Dec. 19, following which a posse of some 200 officers and citizens from Marengo and Wilcox Counties sought the negro.

A description of the slayer had been obtained from the Jackson youth who was wounded when he and his mother went to his father's assistance. The younger Jackson is reported recovered from his injury.

The negro allegedly looted the Jackson safe of \$300.

Chicago Defender
Chicago, Illinois

SLAYER CLEARS DOOMED MAN BEFORE DYING

Killer Of Montgomery
Woman Admits He Lied

On / Accomplice

MONTGOMERY, Ala. (ANP)—Thursday afternoon, the death sentence of Albert Lee Craig, 21-year-old convicted murderer was commuted to life imprisonment by Gov. Dixon, upon the confession of Dock Powell, 27, made 12 hours before he went to his death in Alabama's electric chair Friday.

The two men had been convicted of the murder of Miss Mary Webster Garrison, prominent white state fraternal leader at her home in Ashland last October 14.

Before and during the trial, Powell confessed to the murder of the woman and implicated Craig. Later, Craig admitted being a party to the crime. Miss Garrison was beaten to death in the back yard of her home.

However, the day preceding his death, Powell made a statement which exonerated Craig. This statement given at a routine clemency hearing, came as a distinct surprise to the governor, attorneys and officers present.

Powell stuck to his story, assuming full and sole responsibility for the crime, despite the questioning by the chief executive, Asst. Atty. Gen. Charles L. Rowe and Circuit Solicitor A. L. Hardegree.

Said Powell, "I lied on him (Craig). He had nothing to do with it. I brought him in to it because I thought it might save my own life."

He stated he had told Sheriff Z. P. Jordan of Clay county, when the sheriff visited Kilby prison, that Craig was innocent. The sheriff, however, was not at the clemency hearing.

The governor asked the gathered witnesses if they could throw any light on the new development, whereupon I. C. H. Champney, state veteran prison chaplain, spoke of his sermon to Kilby inmates shortly before Christmas in which he strongly urged the convicts to tell "the truth" whether they were guilty or innocent.

Upon completion of his sermon, the chaplain stated he was called to Powell's cell and apprized of the convict's intention to tell the true story of the Garrison murder—that Craig had nothing to do with it.

Powell was said to have urged the chaplain to tell the story to the right people so that Craig would not have to pay for a crime he did not commit.

The chaplain, however, did not act upon the request, although Powell repeatedly asked him to each time they met. It was his opinion that the clemency hearing would be time for the confession.

According to Craig, he confessed complicity in the crime out of fear, following a beating administered to him by Powell while they were awaiting trial in jail.

Gov. Dixon's action in commuting Craig's death sentence to life imprisonment was as far as he could go under the law. It is considered likely the state board of pardons and paroles will investigate the case. The board has power to free Craig any time after he begins serving his life sentence.

The Plaindealer Kansas City, Kan. Killer At Tuskegee Gets Five Years

John H. Thompson, 18, sophomore student who on Tuesday night December 2, stabbed and killed Robert James, 17, senior in the high school department, over the affections of a young woman student, was sentenced Monday to five years imprisonment.

Thompson, who comes from W. Palm Beach, Fla., engaged in the fatal altercation with James, a native of Tuskegee, as the latter was leaving the school library. James died shortly afterward in the Institute hospital.

Advertiser
Montgomery, Ala.
Seibels Asks
Reward For
Negro Killer

Calls On Governor To
Put \$200 On Head
Of Lorine Fulton

Montgomery County Solicitor Temple Seibels yesterday, in a letter to Gov. Dixon, recommended that the State post a reward of \$200 for the arrest and conviction of Lorine Fulton, negro, alleged slayer of H. H. Crowe, a white man, here early Sunday morning. The Governor was expected to act on the request today.

Mr. Seibels described the murder as "brutal and one that demanded the full powers and efforts of the law to bring the slayer to justice."

According to the police, Mr. Crowe was attacked, stabbed and robbed of \$5 by the negro who left his victim to die on the right of way of the Seaboard Air Line Railway, about 50 yards from the Lower Wetumpka Road, where he lay for more than three hours before he was discovered by two negroes. He was removed to a hospital where he disclosed the name of his assailant before succumbing to his wounds, according to officers.

A widespread search has failed to locate the negro, and Solicitor Seibels's action yesterday was expected to hasten the possible capture of the ex-convict.

Also, Mr. Seibels announced the capital week of Circuit Court, to convene late in May unless postponed to early June, would be highlighted with the retrial of Dave Cauty whose case was returned recently by the State Supreme Court.

In referring to the Cauty case, which has become famous because of long delays in its progress, now entering its fifth year, Mr. Seibels said the case should have been cleared in two years and that he would seek legislative correction of the Alabama laws which permit the necessary delays, useless waste of endeavor and State's money and abuse of time." He declared that the pres-

ent system "undermines the confidence in juries and judges."

Hits At Delay

Citing the law which grants a defendant 90 days in which to file a bill of exceptions after a motion for new trial is overruled, he pointed out that sometimes a motion remains on the docket as long as eight months. Currently, he said, he was preparing the State's case in the appeal of Ellis Howard Rowe, convicted slayer of David T. Blakey, who was sentenced to the electric chair last November. Through delays, he said, this case missed the May call of the higher court and will not receive a review until December at the earliest.

Supporting Solicitor Seibels in his stand on unnecessary delays, Judge Walter B. Jones, senior magistrate of the Montgomery Circuit Court, yesterday declared:

"Delay in the arrest and the conviction of criminals has done as much as anything I know to impair respect for the law. The greatest forward step our State could take would be a complete revision of the outworn criminal code under which judges, solicitors and juries have to work. And the first thing in revising that code would be to strike out all the provisions in the present criminal code which make for delay. To enumerate them all would take a lot of time, but we can mention the delays caused by the time allowed for appeals, and the presentation of bills of exceptions, among the many, and the liberal provisions for bail."

Law Favors Criminal

"The criminal who wishes to stave off the day of his commitment to the penitentiary as a convicted felon has scores of laws which he can call to his aid, and the courts can't do much about it, because the criminal is simply using the rights given him by our unwise and outmoded criminal statutes. Our criminal statutes are drawn to protect the criminal in the assertion of every claim, foolish or otherwise. Our criminal code needs to be revised with the end in view of protecting the law-abiding citizen who has been robbed or had some other serious crime committed against his person, his property or his loved ones."

"Our present criminal code does not give us an effective administration of the criminal law. In its efforts to protect the accused it ignores all the rights of the victim and of the public."

"Take delay out of the administration of our criminal laws

and you will reduce crime, by at least 25 per cent. Give us a new criminal code, one founded on reason and common sense, abolish the needless and unnecessary delays and continuances in criminal cases, and there won't be so many crimes. Life and property will be respected. The rights of the innocent will be put above the claims of the guilty."

May 4, 1942

CHEAPNESS OF LIFE

This week a Negro was killed in a crap game on the edge of town. It is to be doubted that more than perhaps two or three score white persons here are aware of that fact. Had there been a murder of a white man hereabouts, there would have been much excitement and the news would have traveled fast.

What is the difference? There are many Negroes who know the whole story. But even these do not get excited. It is to them the outcome of a "cuttin' scrape," of which there are many and varied even in as small a town as Auburn.

As a measure of the Negro's social consciousness, this is perhaps as good a yardstick as any. Life is not very expensive to them. Therefore it is comparatively cheap for them to die. What are the reasons?

Lack of education, lack of opportunity, lack of many of the goods which white people have come to consider basic necessities—these are the basic reasons, although there are many others, more intrinsic.

As the Negro grows in his knowledge and service to a community, so will his life become more valuable to it. Much of the blame for cheapness of life among them rests not on their shoulders but ours.—Lee County Bulletin (Auburn).

Birmingham, Ala. News

May 15, 1942

Well Worth Undertaking

A number of times this newspaper has had occasion to protest against the wanton shooting of Negroes by police officers. Such shootings occur much too often, although we believe they have steadily decreased through the years, here and elsewhere. Whenever an apparent instance of this sort of thing has come to our notice, we have spoken against it. We know that Negroes as a minority race are often imposed upon and that they do not always receive the same consideration at the hands of the law that a white person would receive in similar circumstances. They need the support of friendly, sympathetic voices when they are dealt with unjustly, and *The News* will continue to stand up for them whenever it feels there is occasion to do so.

Sometimes, however, Negroes are shot by officers—just as white persons are sometimes shot by them—when the shooting is not wanton, but is justifiable. Sometimes officers are themselves shot, often fatally, by Negroes—as well as by white criminals. More than once, in editorials protesting against wanton shootings, we have reminded readers that sometimes it is necessary for officers to use their pistols in self-defense.

A case in point has just taken place in Birmingham, and we think it should be brought to the public's attention. An officer attempted to arrest a Negro Wednesday night on a disorderly conduct charge. According to the officer's report, the Negro backed away, drew a pistol and warned the policeman not to touch him. Thereupon the officer drew his own pistol and fired, wounding the Negro in

the shoulder. The man then ran. Later he was admitted to a hospital for treatment, and was charged with disorderly conduct, resisting arrest and violating the state firearms act. Thus, besides being wounded, his recalcitrancy got him into a worse fix with the law than he would have been in had he submitted quietly to arrest in the first place.

In these circumstances, the officer was certainly justified in firing; it was a matter of self-defense. While pleas of self-defense are sometimes made without real foundation, we should not forget that often the necessity for self-defense is very real, as the toll of police officers killed annually in this country in line of duty attests.

The point we want to make is that in the shooting of Negroes by officers, the right is sometimes on one side and sometimes on the other. We want to make the further point that, just as there are too many wanton shootings, so are there too many instances when Negroes, resisting arrest, compel officers to defend themselves.

We believe very earnestly that if police officers will refrain from needless gunplay where Negroes are involved, they will find less and less of a tendency to resist arrest; and that if Negroes will refrain from resisting officers when they run afoul of the law, the number of shootings, wanton or otherwise, will diminish greatly. Restraint on both sides will be very helpful.

It would be a great thing for Birmingham, and a good example for the rest of the country, if in this city a steady improvement in this chronic problem could be brought about in this way. There is no question in our mind that it can be done, through the counsel and careful instruction of the police by their superiors, and through the education and persuasion of Negroes by their preachers, teachers and other leaders.

This would be a fine effort to undertake here in Birmingham, and over a period of time it would produce highly worth-while results in the general improvement of race relations, besides saving lives of officers and Negroes alike.

Age-Herald

Birmingham, Ala.

DRIVER OF ARMY TRUCK ARRESTED

MAY 30 1942

MONTGOMERY, Ala., May 29.—(AP)—State Patrolman C. S. Prier said Friday James O. Clark, of Atlanta, Ga., civilian driver of an army truck, had been arrested on charges of reckless driving and manslaughter after a Lowndes County collision in which two Negroes were killed and a third critically injured Thursday.

Prier said Clark was placed in jail at Hayneville, Ala., after his arrest by Patrolman Prier and Patrolman W. L. Allen, who investigated the accident.

The army truck, part of a convoy, struck a wagon occupied by the Negroes on the Montgomery-Selma highway in attempting to pull around it on a hill three miles west of Lowndesboro, Prier reported.

Advertiser
Montgomery, Ala.

Special Venire Of 50 Called In Cnty Trial

Negro To Face Court This Month On Old Murder Charge

JUN 5 - 1942
The May-June term of Montgomery Circuit Court, according to presiding judges, will continue hearing the criminal docket through the week of June 8, with the capital docket set for June 11 when the principal case on the calendar, a retrial of Dave Canty, negro, on a four-year-old murder charge, will begin.

Canty, whose case has traveled back and forth from the lower courts to the Supreme Court of the United States where it was remanded in a majority opinion by Justice Hugo Black, was arraigned yesterday. Judge Eugene W. Carter will preside, and a special venire of 50 talesmen to serve with 50 regular jurors will be summoned. Canty, according to court officials, appeared in bad physical condition, an ailment having afflicted his legs.

Principal event yesterday was a verdict of guilty of assault with intent to murder returned against V. B. Carnley. Carnley was accused of inflicting knife wounds on the person of Miss Sara Brown, of Chisholm, and George Thornton who later were married. The assault reportedly followed an altercation at Tim's

Place near the river bridge on the Wetumpka Highway during the early morning of March 8. Carnley was captured by cruising Highway Patrolmen who approached the spot as Carnley sought to flee the scene.

Scientific investigation of crime entered the case of W. H. Ward, negro "fraternal leader," who was given five days for contempt on a charge of false swearing. Ward allegedly had manufactured a notarial seal which he claimed to have purchased 21 years ago, but which was declared only five years old by Dr. W. H. Nixon, State Toxicologist, and his laboratory assistant, C. D. Brooks.

Judge Walter B. Jones said all prisoners convicted this week would be sentenced at 11 a.m., Saturday. At arraignments during the present term 12 prisoners requested probation. At the last term of court between 30 and 40 prisoners pleaded guilty and petitioned for probation. Probation opinions will be rendered by Judge Jones.

Mobile, Ala., Register

May 26, 1942

Justice Black Grants Negro Execution Stay

WASHINGTON, May 25.—(AP)—Associate Justice Black today granted a further stay of execution for James Baker, a negro under sentence to die in connection with the holdup killing of Mrs. Mayne Elizabeth Surrency near Jacksonville, Fla., in 1936.

The stay is effective until June 2. Baker was to have been executed tomorrow.

Justice Black previously had granted two stays to permit the filing of appeal cases which have not yet reached the court.

Baker contended that a confession was obtained by force and that he was denied his constitutional rights because there were no negroes on the jury.

Ills Of Lawyer Prolonging Life Of Negro Client

Continuance Obtained In

Frank Johnson Case
Advertiser
Montgomery, Ala.

The Frank Johnson case, which has been fought through the United States Supreme Court, and is back in Federal court here, on habeas corpus proceedings, again delayed Tuesday. His attorney, Walter S. Smith, of Birmingham, asked delay on the

ground that state of his health made it inadvisable for him to appear for the hearing set for today before U. S. District Judge Charles B. Kennamer. Judge Kennamer postponed date of the hearing to June 23, after Smith had written that his doctor had advised him to avoid exertion for "some months." Johnson, Jefferson County negro, is under death sentence for criminal assault of a white woman.

Meanwhile, at the Capitol, it was announced that Gov. Frank Dixon would hold clemency hearings Thursday in cases of four others under death sentence. One of the number, Marvin Gillis, white man of Mobile County, will die in the electric chair for murder early Friday unless the governor intervenes. The other three whose cases will be heard Thursday, all negroes, are scheduled to be electrocuted June 26. They are: John Delbridge, Bullock County, murder; William M. Patterson, Jefferson County, murder; and William Nelms Snead, Jefferson County, criminal assault.

Frank Johnson was to have been executed at Kilby Prison last Friday, but his lawyer, Walter S. Smith, filed petition for habeas corpus in U. S. District Court here the day before. Hearing was set by Judge Kennamer for Wednesday, but postponed until the 23rd following receipt of Smith's request based on ground of ill health.

In letters to Judge Kennamer and Atty. Gen. Lawson, Smith wrote that he was hit by an automobile on Dec. 10, 1941, and that following the accident he developed myocarditis. "Due to hypertension and other circulatory disturbances," he wrote, he has been told by a physician "to avoid trial of cases and other exertions" for some months. "My systolic is entirely too high and my diastolic entirely too low," Smith wrote. He said the doctor advised that if he avoid court trials he should be able to try cases again by October. He submitted copy of a doctor's certificate, from Dr. J. Clement Smith, of Birmingham, who said that it would be "wise procedure" for the attorney to refrain from trying cases for some months.

The certificate was dated May 1, since which date Smith has appeared in court here, and also made a trip to Washington to appear before the U. S. Supreme Court in the Johnson case.

Gov. Dixon, who some time ago turned down Johnson's plea for executive clemency, has been granting reprieves from time to time, as dates fixed for the electrocution have been voided by court order. On being advised of the latest court action Tuesday, it was announced that Johnson will be again reprieved, this time until July 3.

33-1942
Daily World
Atlanta, Ga.

War Secretary Asked To Probe Mobile Slaying

Investigation
Is Urged By
Relatives

BIRMINGHAM. (SNS) — Mrs. Mary S. Robinson, of 1008 Joseph street, sister to Pvt. Henry Williams, 23, who was slain by a white city bus driver in the heart of downtown Mobile last Saturday evening, informed the press Wednesday night that she was wiring War Secretary Stimson requesting "an immediate and thorough investigation into the death of my brother."

Newspaper accounts said early this week that a military investigation had been ordered last Tuesday by Col. Vincent B. Dixon, commanding officer at Brookley Field where Pvt. Williams was stationed.

Grant Williams, brother-in-law to the slain soldier said he went to Mobile Monday to inquire first hand into the fatal shooting of Williams. He quoted Capt. Fitch as saying Pvt. Williams was "just as good a boy as any soldier I had." Otherwise he said that military custody of the body prevented his seeing it and that he could learn no more about the tragedy than what he read in the newspapers.

RECEIVED TELEGRAM

The wife of Mr. Robinson, the victim's sister, said she received a telegram from Capt. Fitch, Sunday, stating that her brother had been killed about 7:30 Saturday night by gunshot in the head and neck.

Williams was shot three times by Grover E. Chandler, white bus driver, who was jailed on charge of murder.

The pistol victim, his sister said had been in the army about 11 months and at Brookley Field, an air corps for whites near Mobile, since March.

Williams, who came to Birmingham when he was nine, according to his sister who reared him, was in Birmingham on a three-day fur-

lough two weeks ago from last deposit for working badges. This Sunday. She, the sister, said that started an argument. on that trip he told her that he The clerk called in Gray, who was coming back home in about cursed Bloodworth and then summoned another guard. The two

His body was scheduled to be forwarded to Macon, Miss., his native home, for burial Saturday.

He is survived by a mother, Mrs. Maggie Williams of Macon, a brother, William Lewis who is in camp at Ft. McClellan; Mrs. Lillie Killings, of 311 4th Ct. No., Birmingham; Miss Emma Williams of Doddsonville, Miss., and Mrs. Mary S. Robinson of Birmingham.

Chicago Tribune
Chicago, Illinois

NEGROES AND

WHITES QUIT IN PROTEST

AUG 22 1942

Birmingham Mine Tied

Up When Guard Kills

Colored Employee

AUG 22 1942

BIRMINGHAM, Ala. — More

than 500 white and Negro members of the United Mine

Workers (CIO) stopped work

for two shifts at the Docena

mine of the Tennessee Coal, Rail-

road and Iron company, August 13,

in protest against the killing of

Jack Bloodworth, miner, by Her-

bert Gray, company policeman.

The shooting of Bloodworth was

the most violent incident yet in

the campaign of racial hatred which

the Alabama industrialists, the Ku

Klux Klan and reactionary state

officials have been working up in

the last two weeks.

Bloodworth was on his way to

join the U.S. army when the police-

man shot him down. The miners

returned to work after two shifts

because they did not wish to delay

war production, but demanded the

discharge of the company cop and

others active in race incitement.

When Bloodworth called at the

payroll office to get his final check

before being inducted, the payroll

clerk refused to return the 50 cents

which all miners are required to

The shooting was the outgrowth

of the anti-Negro campaign which

began recently when a League for

White Supremacy was started here

and state officials denounced the

President's Committee on Fair Em-

ployment Practices because it was

attempting to end discrimination.

Pittsburgh Courier

Pittsburgh, Pa.

MINERS STRIKE

OVER KILLING

AUG 22 1942

BIRMINGHAM, Ala. — Aug. 20—

An argument over a 50-cent de-

duction resulted in Jack Blood-

worth, 35, being killed and ap-

proximately 500 miners quitting

work at the Bocena mine of the

Tennessee Coal, Iron and Railroad

Company, last week. According

to reports, Bloodworth went to

the timekeeper's office to get his

pay prior to his induction into the

Army. When he failed to give up

his badge, it is claimed, he was

informed that 50 cents would be

deducted, which was followed by

an argument and a fight between

Bloodworth and company depu-

ties.

The following day the 500 min-

ers working there failed to report,

resulting in the mine being closed.

ALABAMA

NEGRO SHOT BY BUS DRIVER

Weekly Review

AUG 22 1942

AUG 22 1942
Bus Driver Shoots J.
B. Butcher During
Row

BIRMINGHAM, Ala.—Police were

investigating the shooting of J.

B. Butcher, 22, of 1211 Sixth Ave-

nue, south, after an argument

with an Avenue F bus driver at

12th street and 6th avenue south,

late Monday night. Butcher was

struck three times in the lower

part of his body by bullets and

was admitted to the Hillman Hos-

pital in a critical condition.

Radio Patrolmen Cook, Jones

Hale and Roberts said, the bu-

driver, Sam Truitt, of Fairview

told them that Butcher boarded

his bus at 12th street and 6th

Avenue south, and began an argu-

ment over his fare, after dropping

a dime in the coin box which is

for exact fare.

The bus driver told the officers,

they reported that the Negro

drew a knife during the argu-

ment and other passengers on the

bus became frightened. Truitt

then stopped the bus and order-

ed Butcher off. Meanwhile the

driver got off himself.

As Butcher stepped to the Pav-

ement, According to the Version

given the officers by the bus driv-

er, Butcher advanced toward the

driver with an open knife in his

hand and was told by the bus

driver "to put that knife away."

After Butcher advanced toward

the bus driver, he told the offi-

cers, he fired several times at

close range, all of the bullets

striking the Negro.

The shooting attracted several

hundred people to the scene. After

a preliminary investigation, the

bus driver continued on his round.

It is reported that on the next

trip of Truitt's bus in the vicinity

of the shooting, rocks were thrown

at the bus and several windows

broken.

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This reporter called the hospital

this morning (Wednesday) and

attendants say Butcher has a fif-

ty-fifty chance to live. We sur-

mise from this corner however.

that operator Sam Truitt has been moved to another run for his own safety, as reports reaching this office are that the Tittusville citizens are very much wrought up over the affair.

Chicago Defender Chicago, Illinois 500 Laborers in Alabama Go on Strike

Paymaster Had It In
for Him, Draftee's
Kin Tells AFRO

By RALPH MITCHELL
DOCENA, Ala.—Ugly tempers of the 600-odd laborers and their families of this company-owned community flared to red heat here Wednesday when a laborer was shot to death in cold blood by a company paymaster.

The lifeless body of Jack Bloodworth, a strapping giant shift leader, was still warm and being hauled to the undertaker in Pratt City, five miles away, when the report swept through the Docena mines, and spontaneously more than 250 sweating, soot-covered men dropped their picks, piled on the creaking shaft lifts, and poured out of the shafts bringing work to a halt.

Others Join Group

More than 200 men, milling about the outer gates waiting for the signal that meant a change of shift, tucked their full lunch boxes under their arms and joined the march back to their homes on the hillside nearby the Tennessee Coal and Iron Company mine.

Their womenfolk came running out on the ramshackle porches and stared in wonderment at the grim sullen faces. They knew there was trouble brewing: "maybe those organizers again," they thought.

Expected Trouble

But it wasn't the organizers, the union leaders were both innocent and helpless.

"Boss Gray done killed Jack Bloodworth!" Came the explanation as the men broke ranks and filed singly and in pairs around the narrow dusty streets of Docena and shut the doors warning their children to keep quiet as they would during thunder storms.

What had happened was a strange phenomenon for Docena

a strange thing for Alabama and the South—five hundred men on a work-stoppage because one of their number had been slain. The two clergymen hustled around among the men to get their reaction and curb rioting and bloodshed.

Roosevelt Williams, the CIO local agent, darted from house to house to find out what they wanted done.

Make Demands

They wanted Paymaster Herb Gray, the killer, brought to trial and discharged. They wanted all white gun-toting deputies ousted, and they wanted a new deal all round.

The leaders took their demands up to the officials and the men got out their pipes, and took off their big hob-nailed shoes, and waited.

The word came back that nothing could be done until the coroner investigated.

"All right," said the men, "can't nothing be done—no coal will be dug, no cars will be filled, no torches will be lit—nothing."

One-sided Probe

But Coroner Gip M. Evans, didn't come over on the black side of Docena shanties to investigate. He didn't ask the colored laborers gathered about the Docena commissary where the shooting took place and what they saw.

He didn't look up 19-year-old Clive Bloodworth, who had accompanied his uncle over from Pratt City to get his final pay before going into the army, and ask what had happened.

He talked only to Herb Gray and Tom Mizell, both white deputies, who had beaten and shot Bloodworth, and they "convinced" him that Jack Bloodworth's death was "justifiable" homicide.

Miner Called "Sassy"

"Bloodworth was a sassy n—r who called Paymaster Gray a liar when the latter said he owed him fifty cents for his work badge," the coroner was told.

"This wasn't the first time we've had trouble with that big-gity Bloodworth," the deputies said. "Once before he refused to show a white man how to operate a machine. Stubborn and mean, that's what he was, and spoke up sharp to white folks."

Set Bad Example

"He didn't like nobody taking money out of his envelope at the gate when it came down sealed from the office, and he talked up sassy in front of the other n—rs, setting a bad example."

Oldtimes around the mines—

some who had been there on season and on for twenty years and more—are said to have told "Mistuh Gray" to "pay no attention to that crazy n—r." They said he wasn't, responsible because "he had a silver plate in his head, put in at company expense following an accident."

Deputy Carried Grudge

But Gray had his own way of handling smart alecks who had been up around the West Virginia and Pennsylvania mines and didn't know how to stay in their places.

He always made Bloodworth stand around until last before he paid him off.

He Ducked Conflict

But Bloodworth was a smooth one. He was afraid of that plate in his head and he wasn't always certain that he could hold his temper when he got mad and he didn't want any trouble with white folks.

He was 1-A in the draft and he thought he could make out until they called him. So he avoided calling for his money at the little shed at the gate. He would send his wife, Emmiemae.

Emmiemae, was a trim mahogany colored girl with flashing white teeth and wore her hair slicked down, Indian fashion, over her ears with a part in the middle.

Her small figure and short skirt belied her 29 years, and some of the men flirted with her around the gate, but it didn't do them any good because she was Jack Bloodworth's woman.

"We lived together six years," Emmiemae explained proudly, "and then we got married and made it decent. Jack couldn't get a divorce from his first wife, Lessie, who lives up Atlanta way, but I was tired of living in sin so we got married anyhow. He was a good husband."

Wife Ill-Treated, Too

But Emmiemae was put on Gray's blacklist, too. He made her sit around, but Emmiemae was meek and nothing happened up until Tuesday when Bloodworth got his draft notice and went out to get his final pay, himself.

To be on the safe side, he took his nephew, Clive, with him, and as was expected another brawl ensued when Gray deducted fifty cents for the badge and then tried to force Bloodworth to turn the badge in anyway.

Nephew's Story

The following is young Clive Bloodworth's version of the killing as told to the AFRO:

"Uncle Jack told Gray he was

lying when he claimed he had lost one badge and owed for it, and then to avoid trouble he walked away leaving both the badge and the money.

"We had walked about a half mile, headed toward town, when we looked back and saw Gray and another white man coming in an automobile. They jumped out and told Uncle Jack he was under arrest for disturbing the peace."

Deputies Strike First

"One of the men struck at him with a weapon like a blackjack, and Uncle Jack reached out and grabbed him with both arms and pinioned his arms to his side."

"As he did this Gray's revolver dropped to the ground."

"The men kept saying something about, 'don't shoot, don't shoot! Everything is all right. We won't hurt you.'"

"Uncle Jack let go of Gray, and picked up the gun and handed it back to him. Then the men pounced on him again and began to beat and drag him toward the automobile. They fell into a ditch in the tussle."

Shot Twice

"Gray got loose first and shot Uncle Jack in the leg, and then put another bullet in his heart as he turned around. My uncle dropped dead."

"I can't tell you anymore. You see I've been drinking a little ever since it happened. It upset me seeing him shot down like that and he was so happy about being a soldier."

"He said, as we went up there, 'I wonder whether I'll pass my physical.' Well he won't pass no physical now."

Good Soldier Lost

He was right. Jack Bloodworth won't pass any physicals and Uncle Sam lost a good soldier. He was strong as a bull, a shift leader whose men followed him as he sang "old hammer killed John Henry."

He "wasn't afraid of man nor beast." He didn't scare at white folks in Alabama and he probably wouldn't have been afraid of Germans in France or Japs in Australia.

Wives Get Together

But today, as the days lengthen into a week, the body of Jack Bloodworth still lies on a slab in the Pratt City undertaker's. Jack's two wives, Emmiemae and Lessie, who came down from Atlanta, have been talking things over down at Jack's brother's home.

"Taint no hard feelings 'tween us," they told the AFRO, "we just don't know how we're going to

get him buried. He wasn't financial in no burial society cause he wasn't thinking much about dying."

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Money to Children

There is, however, about \$1000 up at the T.C. and I. coming to Jack Bloodworth in workman's compensation insurance, but neither of his wives can touch it because he signed some papers leaving the money to his two children for their education.

There should have been about \$15,000 coming if the coroner had said Jack Bloodworth's death was accidental. But Gip M. Evans didn't hand in such a verdict.

First it would have held a white man for the death of a colored man, and second it would have cost the company money. Gip M. Evans likes his job of being coroner for Docena and the T.C. and I. owns the town.

Men Back at Work

The idle men with their tempers abated, faced with hungry children and wives, and feeling deserted by their union leaders who were doing nothing, eventually straggled back to work.

Back through the big wire gates down in the pitch black belly of the earth they went. Back past the big red, white and blue sign which reads: "This plant is a part of the arsenal of democracy."

Jack Bloodworth won't take part in that fight.

Birmingham Post
Birmingham, Alabama

JURY PANEL IS ISSUE IN SLAYING OF YOUTH

NOV 11 1942

After overruling a motion to dismiss the jury on grounds that Negroes were systematically excluded, Judge J. Russell McElroy today was hearing a motion on the same grounds to quash the indictment against Joe Vernon, Negro, charged with the murder of Ben Montgomery, 19-year-old Woodlawn High School boy, in 1937, in a filling station robbery.

P. D. Posey, jury commission clerk, testified as to how the jury box is filled and what names are in it.

The motions were based on charges that no Negroes were members of the indicting grand jury and were filed by Atty. Walter S. Smith. Judge McElroy heard several Negroes testify they know of no Negroes serving on grand juries.

Vernon's death sentence in his first trial was reversed by the U. S. Supreme Court.

33-1942

Chicago Defender
Chicago, Illinois

Tuskegee Has Another Brutal Police Slaying

TUSKEGEE.—In what was described by eye-witnesses as one of the most brutal killings in the history of Macon county, Walter Gunn was slain here recently by County Sheriff E. E. Evans and his deputy, Fawcett, in the town of Tuskegee, a few miles from Tuskegee institute. The attending physician at the John A. Andrew Memorial hospital confirmed reports that Gunn was literally "beaten to death" before he was shot by the deputy sheriff.

Mrs. Gunn, widow of the victim and mother of their four children, repeated for reporters the following story of events leading up to her husband's death on June 28. She said:

"I was sitting on my porch when I saw my husband drive in with the officers following close behind in another car. Fawcett, the deputy sheriff, was standing on the running board of the car driven by the sheriff, Pat Evans. Fawcett fired two or three times at my husband's car as they turned in the lane leading to the house. I screamed because they were shooting over my children in the road playing. My husband jumped from his car and ran with Fawcett following him. Pat Evans, the sheriff yelled:

"I hope he will kill him!"

"My husband continued to run and fell over a wooden washstand in the back of the house where Fawcett fired several shots into his right leg and beat him over the back of the head with a blunt instrument. Fawcett then grabbed his almost lifeless form and dragged him by the collar from the yard across the street to the car. I later found him when I went to the John A. Memorial hospital. I asked the sheriff what had my husband done. He replied:

"You know as much as we do. He is always into something."

"So far as I could learn, my husband was charged with drunkenness. Twice before they had arrested my husband. In October,

they stripped him of his clothes and beat him in public at Mt. Esther church. The other time they arrested him for reckless driving."

Gunn died in Andrew hospital June 28 of a fractured skull caused by a blow behind the right ear.

All efforts made by the Chicago Defender to contact the police chief and the sheriff of Tuskegee to learn further details of charges against Gunn were without results up to a late hour Monday evening.

Birmingham Post
Birmingham, Alabama

FLAW IN LAW CHEATS CHAIR

Negro Gets Legal Limit For Brutal Slaying Of Boy During Club Meeting

Only the technicality of a month and 14 days saved Will Anderson, about 40, bespectled Negro, from the electric chair.

In sentencing him to 20 years, Judge John C. Morrow said to him, "The electric chair would not have been called into more than you deserved. You are guilty of the most cold-blooded murder that has ever come to my attention."

Faulty Law Blamed

But a technicality prevented Will Anderson from being charged with murder even though his victim, Johnnie Hicks, 15-year-old Negro boy, died as the result of a bullet wound inflicted by Anderson.

The shooting occurred Dec. 1, 1940. His spinal cord severed Johnnie Hicks lingered in this world as a paralytic until Jan. 15, 1942. The law is that a man can't be brought into court on a murder charge if his victim does not die from the wounds within a year and a day of the attack. Johnnie Hicks died 13 1-2 months after he was shot.

20 Years Is Maximum

So Anderson was charged with assault with intent to murder instead of murder. A 20-year sentence is the maximum penalty on

that charge.

A group of teen-aged boys, members of the Do More Social Club, were holding a meeting over Johnnie Hick's home. Will Anderson, Johnnie's neighbor, wanted to come in. He was told that there was a club meeting, but he forced his way in anyway. He had been drinking.

Boy Brutally Shot

He made his way into the room where the boys were and sat down with them. One of the boys, Thomas Fisher, told him that grown-ups shouldn't be attending the meeting. This made Will Anderson mad. He pulled out his gun. The boys jumped to their feet in terror and started running. The bespectacled intruder fired and the bullet caught Johnnie Hicks in the back.

After the judge had sentenced Anderson, Bessie Hicks, the dead boy's mother, said to Assistant Solicitor Bud Watson: "Nothing will bring my boy back, but I feel better about it now. I used to have to see Will Anderson across the yard every day."

Age-Herald

Birmingham, Ala. FOUR SLAYINGS ARE REGISTERED OVER WEEK-END

'Unlawful Homicides' Take Heavy Toll Over Holiday

Four persons met death here over the Fourth of July week-end in four separate killings not related to each other, and described by Coroner Gip M. Evans as "unlawful homicides." A fifth person was critically shot, and still another suffered serious knife wounds.

The four victims of slayings included one white man, two Negro men and one Negro woman. A white soldier also suffered a gunshot wound of the chest, said to be critical, and a Negro man was reported in "poor" condition after being stabbed with a knife.

GEORGE ANTHONY HULLETT, 76, of 1413 Avenue J, Ensley, was shot to death Saturday night at his home after a family quarrel, Detectives Jim Norrell and Jack Phillips said. The detectives said William Simonson, 62-year-old son-in-law of the victim, was being sought

Sunday for questioning.

Detectives said they were told that Hullett, who had gone out to sit on the front porch after a family row, was struck by two bullets apparently fired through a screen door from inside the house.

TOM ISAAC, Negro, of 1507 Eighth Avenue, North, died after being struck by a bottle at Seventh Alley and 17th Street, North, Coroner Evans reported, and Detectives Norrell and Phillips said Horace McGee, Negro, had been placed in the City Jail.

JAMES DEVINER, Negro, was shot to death in the Sincard Hollow Community near Lake Purdy, and Sheriff's Deputy J. L. Boggan said another Negro man was being sought.

ROSOL JOHNSON, Negro woman, of 218 Fourth Street, Decena, was critically stabbed, and another Negro woman was being sought. Sheriff's Deputies Milton F. Ferguson and T. W. Docherty were investigating.

PVT. WEBSTER MCCARSON, 34, of 245 North 52nd Street, stationed at Keesler Field, Mississippi, suffered a bullet wound in the abdomen in East Lake early Sunday morning, and W. C. Whitfield, tourist camp operator of Birmingham Route 5, was being held in the City Jail Sunday. Detectives Norrell and Phillips were investigating.

Attaches at Jefferson Hospital said the condition of Pvt McCarson remained critical late Sunday.

ROBERT CLARK, Negro, of 202 South 25th Street, suffered knife wounds of the chest and arm in another incident and was admitted to T. C. I. Hospital, where attaches said his condition was "poor."

Pittsburgh Courier
Pittsburgh, Pa.

TUSKEGEE, Ala., July 9.—A Negro mother and her four young children are alone in the world today, innocent victims of the tragedy that befell them when an officer of the Alabama law shot and killed their father and husband, Walter Gunn.

The reason for the shooting and killing of Walter Gunn by a deputy sheriff named Fawcett is clouded with mystery. Apparently the only crime the victim committed was meeting up with Fawcett and his superior officer, Sheriff E. E. Evans, on June 27.

Gunn was shot by one of the officers in the rear of his home, after he had been pursued for a considerable distance, and died in the John A. Andrew Memorial hospital at Tuskegee Institute.

CHILDREN ENDANGERED

Fragments of the tragedy were given to the Tuskegee Civic Association by the widow of the victim.

"I was sitting on my porch," she said, "when I saw my husband drive into the lane leading to the house. Close behind was the car driven by the sheriff, and Fawcett was standing on the running board with a gun in his hand. Fawcett fired two or three times at my husband's car as they turned into the lane. I screamed. They were shooting over the children who had been playing in the yard."

"My husband jumped out of his car and ran around to the rear of the house. Fawcett was following him, and when my husband fell over a wooden washstand in the back of the house, Fawcett fired several shots into his right leg and beat him over the head with a blunt instrument."

SHERIFF REFUSES TO STATE CASE 1 1942

"The officer then dragged him by the collar from the yard across the street. He called for a young boy next door to come and help him put my husband in the car."

"They put my dying husband in his own car and carried him away. Later, I found him at the John A. Andrew Memorial hospital. He died from a fractured skull."

"I asked the sheriff what my husband had done. He said—'You know as much as we do. He is always into something.'"

According to investigators for the Tuskegee Civic Association, the only charge that could be placed against Gunn was drunkenness. The investigation is still going on.

The widow has four children and no means to provide for them. The association is making an effort to aid her as much as possible. The children ranged from nine months to six years in age.

Advertiser

Montgomery, Ala.

Negro Is Arrested For 34-Year-Old Murder

BIRMINGHAM, ALA., July 14.—(U.P.)—Arrested here yesterday for a murder committed 34 years ago in Perry County, Mose Steele, negro, has been returned to Marion, Ala., to stand trial.

He was accused of killing Tommy Moore, another negro. Police said he had lived here for the 25 years. He was traced by Perry County officials, who asked local police to arrest him.

It was said he was positively identified by witnesses to the slaying.

Threats Used To Put Hush On Their Testimony

**Attorney Shores
Employed to Probe
Sheriff Shooting**

TUSKEGEE—(A. N. P.)—Threats and ruses were being employed in the little town of Tuskegee, investigators found last week, to prevent witnesses from testifying when the grand jury looks into the Fourth of July slaying of Walter Gunn by a deputy sheriff.

Eyewitnesses said that men posing as FBI officers had talked with them about the case. Others said that they were afraid to "tell what I saw because I don't want to have no trouble."

Eighty-four percent of the approximately 22,000 citizens in Macon county are Negroes with only about 96 eligible to vote notwithstanding that there are close to 200 faculty members at Tuskegee institute.

Solicitor Hare promised to present the case to the grand jury in October and do the full duty of his office.

But civic-minded citizens have in mind more than this, having employed Lawyer Arthur D. Shores of Birmingham to explore the possibilities of civic, criminal and impeachment action against both the sheriff and his deputy who actually did the shooting.

Seek Soldier Who Shot White 'MP'

Black Dispatch
Oklahoma City, Okla.

**Alabama Soldier
Is Slain On Bus
By White Driver**

**BLAME VERBAL TILT
ORDER MILITARY PROBE
IN MURDER OF PRIVATE
ON VEHICLE IN MOBILE**

SYRACUSE, N. Y. —(ANP)—Staff Sgt. Willie Tucker, well known here and the son of Edward M. Tucker, a veteran of World War I, was being sought by local police last Tuesday on a warrant issued by the provost marshal of Fort McClellan, Ala., following the shooting of a white military police officer at the fort.

Information indicated that Tucker had escaped from the guardhouse after the shooting of the MP. Tucker, Sr., said his son's reported desertion sounded "too mysterious" to him and declared he would ask an army investigation.

The elder Tucker said he suspected that "something happened" to his son, something stemmed in the racial prejudice of the south. He declared he knew through his own experience as a soldier that his son could not remain fugitive in the south for any length of time that he could never reach Syracuse without an authorized furlough.

Tucker told Det. Sgt. Arthur Casey, who was assigned to the case, that he first learned of his son's plight through a letter from a friend of Willie, a Rochester man stationed at Fort McClellan.

The Rochester soldier wrote that about three weeks ago Willie was sentenced to 90 days in the guardhouse for the shooting. He did not explain whether the MP was actually wounded or whether Willie had shot at him and missed.

The letter said in effect, "It was a case of Willie shooting the MP or the MP shooting Willie."

The father declared, "Something's gone haywire down there. I don't believe Willie could have escaped from the guardhouse."

MOBILE, Ala. —A military investigation was ordered last week in the slaying of Private Henry Williams, of Birmingham, who was fatally wounded on a bus here by Grover E. Chandler, 29-year-old driver of the vehicle.

Soldier Williams was attached to Brookley Field.

In an altercation on the bus William was shot three times by Chandler.

Col. Vincent B. Dixon, commanding officer, said that an investigation had been ordered. Police Chief Dudley F. McFadden said that a report revealed that Williams had been "baiting" the driver. The soldier is alleged to have asked the driver to lift his suitcase off the bus.

Man Shot 6 Times By Ala. Bus Driver

By EMORY O. JACKSON

BIRMINGHAM—(SNS)—B. I. Butcher, 23, of 1211 Sixth avenue, So., Thursday lay in Hillman Hospital "shot to pieces"—shot twice in the back and four times in the stomach as he lay on the ground helpless, by Sam Truitt, white, bus driver, on the BECO line, running into Titusville, an almost exclusive Negro residential section.

Doctors yesterday were waging a desperate fight against grave odds to save the life of Butcher whose fever Thursday morning had soared to a dangerous 105 degrees as he lay in a near irrational condition. He was given a blood transfusion in a hopeful effort to save his life from six perilous bullet wounds.

My bedside interview brought out the following hitherto unreported facts about the gruesome and cowardly shooting:

- (1). The victim had no knife
- (2). He was shot six times instead of three times.
- (3). Butcher engaged in no argument with the bus driver.
- (4). The bus driver left his vehicle and trailed Butcher and shot him.
- (5). Butcher's version of the shooting was not obtained by those investigating the incident.

Butcher boarded the Avenue F bus going to Titusville at Avenue F and Tenth Street, Monday night, dropped a dime into the exact change box, oblivious of the rule, and asked for his three cents change. (Rule is that exact fare or "tokens" be put into the correct fare box).

He said that the bus driver angrily replied when he asked for his change, "I aint gonna give you nothing back. Git it." And that he said, "Ah, white folks, I just forgot." And that he neither cursed nor used provocative language in requesting his change. So he got off the bus on Tenth Street and Avenue.

The bus driver, he explained, stopped his bus, shut off the motor followed him about a half block shot him twice in the back, and as he lay on the ground blood over him and shot him in the stomach four more times.

Hospital attaches said Butcher was in "a bad shape" and that he was "shot to pieces."

Titusville residents and other Negro citizens riding the Avenue F bus on several occasions have complained of ill treatment by bus operators on that line. Gun play by bus operators on this line have featured other clashes.

Negro passengers have been arrested, jailed, and fined for involvements with operators in which the operators called police. No relief formula has been worked out.

An Ullman High School teacher last year was waylaid by an off-duty bus operator, menaced with a gun, and saved his own life by taking the gun away from the desperate gun-toting, BECO employee. That is a back ground of the current shooting and other violence which have gone on without relief, without BECO or City official publicity lifting a finger of displeasure. Their silence is a spur to further bad treatment, shooting, killings, and all of their by-products.

Birmingham Post
Birmingham, Alabama

**JOE VERNON FACES
DEATH SECOND TIME**

Joe Vernon, Negro, faces death in the electric chair for a second time today following his conviction yesterday afternoon by a jury in Judge J. Russell McElroy's court of murdering Ben Montgomery, 19, in a filling station robbery in 1937.

Vernon's previous conviction in 1939 was reversed by the United States Supreme Court.

His alleged accomplice, L. C. Bell, Negro, is in a death cell at Kilby Prison, reprieved 23 times pending disposal of Vernon's case.

Vernon's attorney, Walter S. Smith, notified the court yesterday

he would file a motion for a new trial and an appeal to the Alabama Supreme Court. Judge McElroy deferred sentence until Dec. 18. Assistant Solicitor Burgin Hawkins prosecuted the case.

22-1042
New York Age

New York, N. Y.

Sheriff's Posse In Arizona Kills One, Arrests 5 Soldiers

FLAGSTAFF, Ariz. — A posse of special deputies and policemen shot and killed one Negro soldier, wounded another and arrested four others early Saturday in the business district.

Major M. C. Nichols, commander of an army detachment near here, said a disturbance began in the southern part of the town when policemen arrested a Negro among a group of soldiers who were said to be disturbing the peace outside a cafe to which they had been refused admittance. The soldiers left, but were said to have returned with machine guns, shot-guns and pistols and took the soldier who had been arrested, away from the police.

Sheriff Perry Francis said the soldiers then proceeded through the business district, firing in the air. He organized a posse, found the soldiers at the Grand Canyon Cafe and surrounded the place.

The sheriff said that Pvt. Jesse Smith, 25, of Philadelphia, appeared at the door with a submachine gun and was ordered to drop the weapon. He was shot once, turned and ran back into the cafe where he died. The others were immediately placed under arrest.

"All six of the men were A. W. O. L. from camp and had been drinking," Major Nichols declared. He withheld their names and said that pending an investigation, the men are being held without charge in the Coconino County jail.

An attendant at the cafe said the men had demanded that he serve them liquor, but he told them he only had milk and coffee. He said the soldiers accused him of not wanting to serve Negroes.

Deputy Absolved

A coroner's jury on Monday ruled that Maxwell Schremp, state motor vehicle inspector, "acted in pursuit of duty in fatally shooting Pvt. Smith."

ARIZONA

33-1942 Commercial Appeal Memphis, Tennessee NEGRO IS SHOT TO DEATH

Cross County Officer Kills Him As He Reaches For Gun

WYNNE, Ark., March 20.—Cross County officers Thursday shot and killed Aaron Jackson, negro, of near Parkin, who had been hiding since he allegedly shot to death another negro last Saturday, Sheriff Deloss McKnight revealed here Friday.

According to the sheriff, Jackson killed Horace Brown, also of Parkin.

Officers Hubert Clark of St. Francis County and A. J. (Tex) Johnson of Cross County located Jackson and another negro, T. R. Smith, plowing in a field near Parkin. The officers ordered the negroes to throw up their hands. They obeyed and as Officer Clark was searching them Jackson reached into his shirt. Johnson shot him, he reported.

A .32 caliber revolver fully loaded was removed from Jackson's shirt, Sheriff McKnight said.

afro-american
Baltimore, Maryland

Cop Kills Soldier in Arkansas

LITTLE ROCK, Ark.—Sergeant Thomas B. Foster of Company D, 92nd Engineer Battalion stationed at Camp Robinson near here was bludgeoned to the ground and then shot to death by a civilian policeman here on Sunday.

His death was the result of an attempt on his part to have the police stop beating another soldier while white military policemen stood by without interfering.

Beaten with Nightstick
Sergt. Foster reportedly asked the M.P.'s why they were allowing the civilian policeman to beat the soldier and was seized as an interferer.

During the ensuing struggle, a civilian policeman reportedly fired a shot into the air to drive back the crowd and then bludgeoned Sergt. Foster, who was being held by four M.P.'s, with his

nightstick until he fell to the ground.

Other soldiers in the crowd who sought to help the injured man were held at bay by the M.P.'s, who had also drawn guns. The civilian officer emptied his revolver into the body of the soldier as he lay on the ground, reports state.

Colored M.P.'s Replaced
Army trucks were rushed here from Camp Robinson and all colored soldiers were returned to the reservation. Colored M.P.'s formerly patrolled the district in which the slaying occurred. White M.P.'s replaced them recently allegedly on orders by a high camp official.

Members of the unit report that after all soldiers were back on the reservation, whites drove through the area, shouting: "We've killed one . . . and we shall kill more of you."

Commercial Appeal
Memphis, Tennessee

SHOOTING OF NEGRO SOLDIER 'JUSTIFIED'

Little Rock Policeman Cleared
By Chief and Coroner

From The Commercial Appeal
Little Rock Bureau

LITTLE ROCK, March 26.—Police Chief J. A. Pitcock and Dr. C. C. Reed Jr., deputy coroner, held the fatal shooting of a negro soldier by a Little Rock patrolman last Sunday was justifiable homicide in a report submitted Thursday afternoon to the City Civil Service Commission.

Chief Pitcock said the commission received his report but took no action. Patrolman A. J. Hay, who killed Sergt. Thomas B. Foster, negro, of the 92nd Engineer Battalion stationed at Camp Robinson, acted in line of duty, Chief Pitcock told the commission.

Foster was killed when he and a group of negro civilians attempted to take from custody of military police another negro arrested for drunkenness. The city police went to the aid of the M.P.'s when the disturbance broke out in a negro section here.

ARKANSAS Commercial Appeal Memphis, Tennessee

NEGRO SLAYER SAVED FROM ELECTRIC CHAIR

Supreme Court Says Jury
Must Specify 'First Degree'

TWO JUSTICES DISSENT
APR 14 1942

A. T. Jones, Convicted In
Phillips County, Must Be
Retried, Declares Majority
Opinion

By The Associated Press
LITTLE ROCK, April 13.—The

Supreme Court, in a five to two decision Monday, saved a convicted negro slayer from the electric chair because the Phillips County jury that convicted him failed to specify first degree murder in its verdict.

The negro, A. T. Jones, a farm worker and ordained minister, was convicted of killing another negro, George Miller, Helena theater operator, in an attempted holdup et. 1, 1941. Jones pleaded innocent by reason of insanity.

Chief Justice Disagrees
The jury's verdict simply stated Jones was "guilty as charged in the indictment" and the indictment did not specify the degree of murder. The jury fixed the death penalty in its verdict and Chief Justice Griffin Smith and Associate Justice T. H. Humphreys, in a dissenting opinion, said that action disclosed a finding of first degree murder.

APR 14 1942
The majority opinion, written by Associate Justice Frank G. Smith, said a jury, before imposing capital punishment, must specify murder in the first degree. It reversed Phillips Circuit Court and ordered the case retried.

Other opinions:
BY CHIEF JUSTICE SMITH:
Louis B. Siegel & Co., Inc., vs. Rucker Moore, from Pulaski Circuit; affirmed.

BY JUSTICE SMITH:
C. E. Castle vs. C. C. Watts et al from Searcy Chancery; affirmed.
A. T. Jones vs. State, from Phillips Circuit; reversed and remanded for new trial. Chief justice dissents.

BY JUSTICE HUMPHREYS:
G. A. Suggs et al vs. Margaret Valentine, guardian, from Crawford Chancery; affirmed.

BY JUSTICE MEHAFFY:
John D. Hoskins vs. Leo P. McLaughlin, from Garland Probate; affirmed.

BY JUSTICE McHANEY:
Clifton Martin et al vs. Arkansas Power & Light Co., from Chicot Circuit; affirmed. Justices Humphreys and Mehauffy dissent; Chief Justice dissents in part.

BY JUSTICE GREENHAW:
U. S. F. & G. Co. vs. J. E. Chambers, Judge, prohibition to Logan Probate Courts; writ denied.

ORDERS PER CURIAM

Fred Brown vs. State, from Phillips Circuit; rehearing denied.

Southwestern Bell Telephone Co. vs. Paul Hutton, from Washington Circuit; rehearing denied; opinion amended.

Joseph Goci ovs. Lee Seamster, Chancellor, from Benton Chancery; rehearing denied.

G. W. Botts vs. J. E. Stephens from Arkansas Chancery; rehearing denied.

Regina Frolich Rhodes et al vs. Arkansas Irrigation Co., from Arkansas Chancery; writ of certiorari quashed; Justice Smith dissents.

Joe Johnson vs. State, from Boone Circuit; appellant given until May 4 for brief.

Dr. Henry George Heller vs. Elbert Williams et al from Scott Circuit; the opinion handed down without charge.

MOTIONS AND ORDERS
Howard Brashers vs. State from Madison Circuit; submitted on rehearing.

W. D. Gill vs. W. H. Schenebeck from Lonoke Circuit; submitted on rehearing.

Essie Cunningham vs. C. C. Cunningham, from Pulaski Chancery; appeal dismissed on motion of appellant.

Nettie Stewart vs. Mrs. J. R. Wheeler, from Clay Probate; motion of appellee to dismiss for want of cost bond, overruled; appellant tenders a bond, which is ordered filed.

T. H. Nakdimen vs. Margaret Brownfield, from Sebastian Chancery; record amended under Rule 24.

G. S. Jernigan, bank commissioner, vs. Texarkana-Forrest Park Paving, Water, Sewer and Gas District No. 1, from Miller Chancery; Wallace Townsend granted permission to file brief amicus curiae.

A. T. Jones vs. State, from Phillips Circuit; immediate mandate ordered.

T. P. Taylor vs. Black Motor Lines, Inc., from Pulaski Circuit; request for immediate mandate denied.

Howard Priest vs. State, from White Circuit; appellant given two weeks for brief.

B. B. McCarley vs. W. H. Hundhausen, from Crittenden Chancery; advanced and set for four weeks.

SUBMISSIONS
SUBMISSIONS:
L. G. Everist, Inc., et al vs. J. Sam Wood, Chancellor on exchange; prohibition to Sebastian Chancery; argued orally.

Jim Q. Quattlebaum vs. E. L. Busbea et al from White Chancery.

Will Brotherton et al vs. Azalia Walden, by next friend, C. O. Walden from Saline Circuit.

E. A. Martin Machinery Co. vs. First National Bank of Huntsville, from Madison Circuit.

Everett Teel et al vs. Adeline Hamden from Randolph Chancery.

Hubert Barnes, administrator vs. J. L. Cooper, administrator, from Cross Chancery.

James H. Bennett vs. City of Hope, from Hempstead Chancery.

Soldier Says He and Aide Raped and Slew 2 Women

SEP 15 1942

Also Admits
Killing 2 Negroes
Louisville, Ky.
Courier-Journal

Santa Maria, Calif., Sept. 14 (AP).—Revising previous confessions to the slaying of two women social workers, Robert T. Bailey, 20-year-old Army deserter, admitted tonight, Deputy District Attorney Thomas Weldon said, that he and an accomplice raped their victims before shooting them.

Weldon said Bailey accused a young man he identified as Jesse Fletcher, whose Selective Service card gave his address on Canal Street in New Orleans, as his accomplice in the killing last Monday near Tomah, Wis., of Miss Neil Pietrangeli, 30, and Miss Dorothy Baum, 32.

Denies Raping Women SEP 15 1942

Previous to tonight's development, Weldon said, Bailey had insisted he had not raped the women, although the Milwaukee coroner informed Weldon both had been criminally attacked.

Bailey has varied his stories since his arrest last Saturday after transporting two 16-year-old girls from Sioux City, Iowa, to Santa Maria.

Weldon said Bailey at first admitted killing the women, but contended a hitch-hiker soldier he met en route from Cincinnati to Madison, Wis., raped them.

To Waive Extradition.

"I've never raped a woman in my life," Bailey had insisted in previous statements. Bailey said Fletcher escaped with him in 1940 from a Hattiesburg reformatory, Weldon reported.

Wisconsin authorities came here to return Bailey, who said he would waive extradition.

Bailey, a two-time deserter, calmly added to his lurid story by telling listeners he had killed two Negroes in Mississippi several years ago.

Weldon asked if he was sorry for the slaying last Monday of the social workers.

"No," Weldon quoted him as replying. SEP 15 1942

The two women had picked up Bailey, clad in his army uniform, at Madison. Their nude bodies were found near Tomah and Bailey drove on to the West Coast in their war. He responded to a hitch-hike plea from two

16-year-old girls, Alberta Coon and Pauline Conley, at Sioux City and brought them to Santa Maria.

"Bailey said that when he was only 15 he killed a Negro," Weldon related.

Chicago Defender

Chicago, Illinois

Shooting Of Four By M.P.

OCT 17 1942

Being Probed

OCT 17 1942

LOS ANGELES.—Police and military authorities here continued to delve into the background of the shooting of a soldier and two civilians here Tuesday night.

The shooting was credited to Chemical Warfare Corps, stationed at Long Beach, Calif. Three men, one a soldier, were victims of gunshot wounds. The injured soldier, James Patterson, stationed at San Diego, was wounded in the stomach four times during the shooting. Two other passersby were also injured.

Responsible for the shooting was Corp. Maurice S. Brooks. Mystery shrouds the cause of the shooting and definite details could not be found immediately. Brooks claimed he shot the soldier Patterson when the latter refused to return to his camp and started to grapple with him. He said he believed the man was armed with a knife.

Brooks was taken into custody by Dets. Richmond Dunn, Joe Davis, Arnold Towns and Barney Hoskins to await further disposition from his company commander.

His commander, First Lieut. Bracksmith, white, said Brooks was a model soldier and possessed of fine qualities. OCT 17 1942

Because two civilians were involved in the shooting, police were at first reluctant to release the M.P. The injured civilians were Ollie Lawson, colored and Jack Misner, white.

33-1942
Amsterdam News
New York, N. Y.

CONNECTICUT

Woman, 72, Found Hanging From Tree Limb; Murder Suspected

Impossible for Victim to Have Killed
Self Hartford Officers Declare

OCT 3 - 1942

HARTFORD, CONN.—Four colored men were questioned this week in connection with the strangulation-slaying of Mrs. Winnie Thomas, 72, of Mahl Ave., Hartford.

OCT 3 - 1942
The body of Mrs. Thomas was found hanging from an apple tree by Frank Maglaty and his son Frank, Jr., while they were walking through their orchard.

Police and detectives from the State's Attorney's office were notified immediately, and after an examination, said it was a case of murder. They said it would have been impossible for the woman to have hanged herself, because the branch was too high off the ground.

OCT 3 - 1942
Euleon Killegrew, a grandson, who lived with Mrs. Thomas, identified the body and another grandson, Theodore Thomas, told police that she left her home about 7 p.m. last Saturday to visit a friend in Unionville, but never reached her destination.

A man's leather belt was tightly drawn around her neck, which fractured her larynx. Police believed that the woman was killed and taken to the tree, which was about 135 feet from the highway. Markings were torn from her clothes, which caused a delay in the victim's identification.

33-1942

Washington Post
Washington, D. C.

Jail Supplies New Witness

2d Prisoner Accuses First Of Trying to 'Frame' Ecklund

Another District Jail prisoner took the witness stand in the District Court trial of John Eugene Ecklund yesterday—this time in an attempt by the defense to refute the testimony of Richard M. Harlow, convicted housebreaker, who said under oath last week that Ecklund had confessed to him the "sniper" slaying of Hyland McClaine, 17-year-old Negro. The witness was Lawrence L. Haynes, serving a two to six months' sentence imposed June 10 by Justice James W. Morris, who is also hearing the Ecklund case.

Under questioning by Defense Attorney Harry T. Whelan, Haynes recalled a conversation he had with Harlow and quoted him as saying: "Johnnie Ecklund would make a very handsome picture—all he needs is a frame." Harlow's stated purpose in testifying against the 27-year-old defendant, Haynes said, was to help in gaining leniency in his own case, soon to be heard in court.

Haynes, who was convicted May 27 for complicity in the removal of confidential files from the Civil Service Commission's offices, went on to relate his own efforts, while in jail, to counteract any testimony that Harlow might later offer. When he read a newspaper article saying a District Jail inmate was directing police to a buried gun in a Baltimore park, he said, he "surmised" that the man referred to was Harlow.

The Government did not, in fact, later unearth a revolver in Baltimore's Preston Gardens with the aid of directions from Harlow, who said Ecklund had disclosed the hiding place to him.

His suspicion of Harlow, Haynes continued, led him to prepare a statement, which he said he gave to Ecklund so that it might help in rebutting any possible testimony by Harlow.

"Haynes' written statement, although introduced by the defense, was regarded by the prosecution as constituting virtual substantiation of Harlow's testimony—in that it

confirmed admissions by Ecklund to Harlow. Assistant United States Attorneys John W. Fihelly and Charles B. Murray, therefore, accepted the document as evidence in their favor and submitted it as Government evidence. Addressed "to whom it may concern," the statement old of an admission by Harlow that he would "frame" Ecklund if he thought it would operate in his favor by getting a reduction of his bond. Last Friday Harlow admitted from the witness stand that this had been his motive, but he denied "emphatically" that his testimony against Ecklund constituted an attempt to "frame" the former college student.

The defense opened its case yesterday with testimony by Policeman Thomas R. Herlihy. But when the witness failed to refute statements by the Government witness Mildred Washington Simms, who was with McClaine when the young Negro was shot to death October 15, 1940, near the K Street viaduct, Whelan announced his "surprise" and dismissed him.

Following the conclusion of the Government's case earlier yesterday, Whelan moved that two bullets, said to have been removed from McClaine's body, be stricken from the record. Justice Morris heard arguments on the motion—even inspecting the bullets himself, under a magnifying glass—and then denied the motion. Whelan had contended that the slugs did not bear certain identification marks claimed to have been made by a deputy coroner who performed the autopsy.

Both bullets have been identified by ballistics experts as coming from the same gun—a .38 caliber Colt revolver—as two others removed from a tree behind the Hot Shoppe across the Fourteenth Street bridge, where Ecklund, it is claimed, engaged in target practice. The gun introduced as evidence last week is an old model .38 Colt revolver.

Ecklund Denies All Connections With Slaying

John Eugene Ecklund ascended the witness stand in his District Court murder trial yesterday and

D. C.

denied all connection with the "sniper" slaying that ended a series of Negro murders in Washington during the autumn of 1940.

Speaking in thin tones and with well-chosen words, the former George Washington University student admitted he had owned a gun, but asserted he had used it only in target practice and for "shooting rats" behind a Virginia Hot Shoppe where he was employed.

Former Reporter to Testify

Meanwhile, a former Washington Post reporter was scheduled to be called upon by the prosecution today to rebut yesterday's testimony by Ecklund. He is Al Lewis, who was summoned from Parris Island, S. C., where he is in training with the Marine Corps. Lewis will testify concerning a number of crudely printed notes sent to him in the fall of 1940 when he was assigned to cover the "sniper" shootings. Included in the notes are predictions of further killings and several denunciations of the Negro people.

Confronted with these notes yesterday, Ecklund said he had never seen them.

Preceding the 27-year-old defendant on the witness stand was his mother, Mrs. Sadie W. Ecklund. She testified that on the night of the fatal shooting of Hyland McClaine, Negro, with which Ecklund is charged, her son was home. During that evening, she said, Ecklund was practicing stenotypy and later went to bed.

Ecklund was asked by Defense Attorney Harry T. Whelan at one point whether he got up during the night. "Oh, no, sir," was the instant reply.

Drawing Excluded

Under cross-examination by Assistant United States John W. Fihelly, Ecklund was shown a drawing taken from his room in Baltimore and asked whether it did not show a design for a gun silencer. The youth denied this, and added that it was a plan for a piece of machinery he was constructing at the Glen Martin airplane factory in Baltimore where he was working at the time.

"Did you not write to the Colt Firearms Co. requesting a specially made gun with an extra half-inch at the end of its barrel?" Fihelly asked.

"Yes," replied Ecklund, "but the reason for that was that I thought it would increase the gun's accuracy."

Several weeks ago, with the aid of Richard Marvin Harlow, a jailmate of Ecklund, police found a .38 caliber Colt revolver buried in Preston Gardens Park, Baltimore, around the corner from the house in which Ecklund lived for almost a month until his arrest November 15, 1940.

Bullets Match

Yesterday Ecklund said his gun was a Smith and Wesson .38-caliber. Earlier this week, two ballistics experts testified that two bullets removed from McClaine's body and two others removed from a tree trunk behind the Virginia Hot Shoppe came from the same gun—a .38-caliber Colt.

Pale and apparently tense under the stress of two hours' questioning, Ecklund appeared relieved when, at about 5:30, Justice James W. Morris excused the jury until this morning and began hearing arguments on an objection by Whelan concerning the relevancy of a Washington Post clipping found in Ecklund's Baltimore room.

Whelan moved that the clipping, an editorial on the "crime picture" in Washington, had nothing to do with the shooting of McClaine, but Fihelly pointed out that Ecklund was apparently interested in statistics on the percentages of criminals apprehended and convicted in the District.

Ecklund's Alibi Refuted as Long Testimony Ends

The fate of John Eugene Ecklund—whether freedom, imprisonment, or death—may be decided in District Court today by a jury of seven men and five women.

There remains only the so-called "sniper" case only the closing statement of Defense Attorney Harry T. Whelan and a one-hour rebuttal by Assistant United States Attorney John W. Fihelly. By early afternoon, it is expected, Justice James W. Morris will be ready to charge the jurors.

Ecklund, a former George Washington University student, again took the witness stand yesterday and continued his denials of Government testimony linking him with the fatal shooting October 15, 1940, of 17-year-old Hyland McClaine, Negro, of 2021 Thirtieth Street Northwest.

Shot at Close Range

McClaine's death was the last of a series of Negro murders that had police baffled in the autumn of 1940. All were ascribed to a "sniper" slayer who sole up behind his victims, all Negroes, and shot at close range.

At one point of the cross-examination

nation yesterday, Fihelly referred again to several crudely printed notes sent at the height of the killings to a Washington Post reporter. They were purportedly sent by the mysterious "sniper" and boasted of previous shootings or predicted further murders.

"Did you ever own a set of rubber type and a red stamp such as was used in the preparation of these notes?" Fihelly asked.

Defendant Unnerved

"No, I never did," the 27-year-old defendant answered, visibly unnerved by continual questioning.

"Did you not tell Richard Harlow (a District Jail tiermate) that you had hid such a printing set somewhere in Virginia, and that he was to use it for further communications with The Post?" "I never did. That's just some more of his fabrication. He must have been coached."

Mother's Story Refuted

Later Capt. Robert J. Barrett, of the Homicide Squad, was put on the stand as a rebuttal witness for the prosecution. Under examination by Fihelly, Barrett said that Ecklund's mother had told him shortly after Ecklund's arrest that she did not know whether or not her son was at home the night of the McClaine slaying. Wednesday Mrs. Ecklund had testified that her son had been at home that night practicing on a stenotyping machine.

Shortly before luncheon recess yesterday, Whelan moved that the jury be withdrawn and a mistrial declared on the ground that one of Fihelly's questions Wednesday regarding The Washington Post notes had prejudiced the veniremen, but Justice Morris denied the motion and instructed the jury to disregard any remarks not supported by evidence.

Birmingham, Ala. FUGITIVE IS FOUND GUILTY OF SLAYING

WASHINGTON, July 13—(AP)—John Eugene Ecklund learned Monday that a jury had convicted him of second degree murder while he was a week-end fugitive, dodging officers hunting him throughout Washington and nearby areas.

The 25-year-old Ecklund, enjoyed 36 hours of liberty after his escape from deputy marshals at the District jail Friday. A policeman spotted him leaving a drug store Sunday and took him into custody. The jurors reached their decision Saturday, but the verdict was kept sealed until Monday. They were unaware of Ecklund's flight.

Ecklund was accused of killing Hyland McClaine, 17, one of four Negroes slain in a series of

of ambush shootings. The previous trial had been convicted of first degree murder but was granted a new trial. Imposition of sentence was deferred until later in the week. The possible sentence is 20 years to life.

Washington Tribune

Washington, D. C.

White Soldier's Slaying Ruled Justifiable Homicide

OCT 10 1942

Bottle Thrown

The fatal shooting of a white soldier, allegedly by a Negro man, who is still unidentified and at large, in the 1400 block of Rhode Island Avenue, Northwest, was ruled by a coroner's jury as justifiable homicide last week after an inquest at the District morgue.

The jury deliberated less than 30 minutes before returning its verdict which said: "We believe this death to be a justifiable homicide, since the unknown man used his gun in the defense of his own life."

Homicide squad members, who predicted the verdict, said it was without a local precedent. They said never before had such a decision been handed down when no defendant was present. Morgue records also failed to reveal any such case.

The slain soldier was Pvt. Robert W. Hammer, 21, attached to Fort Meyer. He was shot, police said, by one of two men, who was being pursued by Hammer and companions following a fight.

Acted in Self Defense

According to the story related by Hammer's friends, the Negro man used the weapon in self-defense after being struck and chased by one of the dead man's companions, Pvt. Roy McFedrick, also of Fort Myer.

The witnesses said that Hammer, McFedrick, and another soldier, Willis Robertson, likewise of Fort Myer, with Edward N. Dickens and two girls, were walking on Rhode Island Avenue when two men passed them. They claimed one made a derogatory remark to Miss Mary Thrift, one of the girls.

Then, the witnesses said, McFedrick challenged and attacked one of the men. The other started to run and called for his companion to follow, the story continued, and the whites gave chase.

An unidentified soldier, it was stated, threw a bottle at the fleeing men, and one of the men turned and fired in the face of Hammer. The soldier died nine hours later in Emergency Hospital.

Lt. Jeremiah Flaherty, chief of the homicide squad, said the ruling of the coroner's jury did not entirely clear the man sought, but pointed out that in view of the testimony offered by the dead soldier's friends, the chances were "favorable" for a complete exoneration. However, he said, further action will be left with the District Attorney and by 15,763 in Texas.

OCT 10 1942